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MEMO ENDORSED

March 18, 2024

BY ECF

Honorable Katharine H. Parker
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Martinez v. Finger Management Corp. et al.*
Case No. 23 Civ. 5901 (JPO) (KHP)

Dear Magistrate Judge Parker:

We are counsel for Defendant Finger Management Corp. (“Finger”) in the above-referenced wage and hour matter, which is brought by Plaintiff Carlos Jose Martinez (“Plaintiff”) as a putative collective/class action. We write, on behalf of all parties, to respectfully request: (1) that the Court adjourn the status conference currently scheduled for March 25, 2024, to a date convenient for the Court and the parties; and (2) concomitantly adjourn the deadline for the parties to provide a joint status update to the Court, until one-week prior to the rescheduled conference. This is the second request for an adjournment of the status conference, and it is made on behalf of all parties. This adjournment will allow the parties to complete the initial exchange of formal discovery, and provide necessary time for the parties to subsequently meet and confer regarding any related disputes and issues concerning conditional certification in advance of the conference with the Court.

Discovery in this matter has been underway following the initial conference on November 16, 2023. Since that time, all parties have exchanged initial disclosures, along with their respective document demands and interrogatories. Defendant Finger has responded to Plaintiff’s document demands and interrogatories, and produced hundreds of pages of documents, with representations in their formal responses that further productions will be forthcoming once a Protective Order is approved by the Court. Plaintiff and Opt-In Plaintiff Reynard Boykin (“Opt-In Plaintiff”) have also provided responses to Finger’s interrogatories and made substantial productions. Plaintiff and Opt-In Plaintiff have produced substantially all, if not all, responsive documents in their possession, and they simply need to complete drafting formal responses to Defendants’ document demands, as the deadline for these formal written responses was extended with Defendants’ consent. Similarly, Defendant Parkview is still in the process of responding to Plaintiff’s discovery

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demands, and shall produce responsive documents shortly. In addition to party-discovery, Plaintiff has also conducted a non-party deposition of a former Property Manager with Finger, and served non-party subpoenas for additional testimony and productions. The parties have also jointly submitted a form Proposed Protective Order for the Court's consideration, which will govern the exchange of confidential discovery in this matter, and Defendants anticipate making significant supplemental productions following approval by the Court.

In short, initial discovery has taken place and remains ongoing. This adjournment will provide Plaintiff and Parkview Defendants with necessary time to respond to the respective discovery demands and make any associated productions, as well as give the parties an opportunity to review said productions in advance of any conference with the Court. The adjournment will also allow all parties to meet and confer regarding any discovery disputes in an attempt to resolve them without judicial intervention and discuss related issues regarding conditional certification.

The parties have conferred and jointly propose: April 16, 17, 23, or 24, as alternative dates for the status conference.

Thank you for your consideration of this matter.

Respectfully submitted,

/s/ Jeffrey Ruzal

Jeffrey Ruzal

APPLICATION GRANTED: The Case Management Conference in this matter scheduled for Monday, March 25, 2024 at 3:00 p.m. in Courtroom 17D, 500 Pearl Street, New York, NY 10007 is hereby rescheduled to Wednesday, April 24, 2024 at 10:00 a.m.
Joint letter due by April 17, 2024.

APPLICATION GRANTED

Katharine H. Parker

Hon. Katharine H. Parker, U.S.M.J.

03/19/2024